

**FLOOD CONTROL ADVISORY BOARD
MINUTES
February 25, 2004**

Scott Ward, Vice-Chairman called the monthly meeting of the Flood Control Advisory Board (FCAB) to order at 2:10 p.m. on Wednesday, February 25, 2004.

Board Members Present: Scott Ward, Vice-Chairman; DeWayne Justice; Hasan Mustaq (for Thomas Callow, Ex Officio); Thomas Callow, Ex Officio; Hermant Patel.

Board Members Absent: Melvin Martin, Chairman; Kent Cooper, Secretary, Paul Cherrington, Ex Officio

Staff Members Present: Tim Phillips, Acting Chief Engineer and General Manager; Julie Lemmon, General Counsel; Mike Ellegood, Director of Public Works; Dick Perreault, CIP/Policy Manager; Russ Miracle, Division Manager, Planning and Project Management; Doug Williams, Planning Branch Manager; Linda Reinbold, Administrative Coordinator; Joe Munoz, Public Information Officer; Sally Stewart, Public Information Officer; Rob Knighton, Planning Project Manager; Barbara Hummell, Contracts Branch Manager; Tom Renckley, Structures Management Branch Manager; Emili Kolevski, Project Manager; Valerie Swick, Planning Project Manager; Stuart Dalbey, Facilities; and BJ Johnston, Clerk of the FCAB.

Guests Present: Roger Baele, David Evans and Associates; Karen Williams, City of Phoenix; Linda Potter, HDR; Don Paulus, NRCS; Joe Dixon, Corps of Engineers; Bryon L. Lake, Corps of Engineers; Charley Scott, Coe & Van Loo; Ed Fritz, MCDOT; Glen Vortherms, MWD; Teri George, DEA; Hornon Arislizabal, Entellus; Jeannette Fish, Maricopa County Farm Bureau; Brian Fry, Dibble & Associates; Doug Plasencia, AMEC E&E.

1) COMMENTS FROM THE ACTING CHIEF ENGINEER AND GENERAL MANAGER

Tim Phillips, Acting Chief Engineer and General Manager recognized Mike Ellegood to address the Board.

Ellegood: Thank you, Mr. Vice-Chairman, members of the Advisory Board, Tim. I am Mike Ellegood, former Chief Engineer and General Manager. Last Wednesday, I was approached by David Smith and asked if I would assume some new and additional responsibilities for Maricopa County. He has asked me to assume the role of Public Works Director and assume the responsibilities of County Engineer. Having read the statutes the responsibilities are quite substantial, an additional responsibility is being the Director of the Department of Transportation.

The Board of Supervisors and County Administration want to merge certain aspects of the District with the Department of Transportation to form a fully integrated Public Works Agency. As you may recall when I was here as your Chief Engineer and General Manager, I was somewhat resistant to that idea. I was afraid that the very good work the District does would be somewhat diluted. That we would lose some of the authority we have and perhaps be less able to provide the services that we want to provide to our client cities and county. After a great amount study downtown, the Administration that I report to wants to proceed with the integration. I think if this indeed is the way to go, who better to lead the effort than someone who has a great understanding of what the District does as well as what the Department of Transportation does. I volunteered to assume that role. I can assure you that as we move forward, we will do it with great care. We are going to do this over an extended period of time. Things that are integrated will be things that will be symbiotic in nature, in other words, will make both the District and the Department of Transportation and Solid Waste Management more efficient. Hopefully, we can reduce some of our overall costs by consolidation and actually free up more funds for construction.

No definite plans have been put together, however several ideas have been brought forward. I can share one or two of those ideas with you. The first one out of the chute is to strengthen the MCDOT materials laboratory so that much of the material testing we do can be done by internal public works forces. We estimate that this alone could save almost \$1 million a year in outside costs for material testing. We're looking at consolidating certain mapping activities, so that when the District goes out and maps an area, MCDOT doesn't come in 3 or 4 months later and map the same area. We think we can bring a lot of this sort of thing together. We are talking about certain tasks that are administrative and overhead. There have been no conversations about any of the engineering or hard-core tasks at this time. Obviously, this is very much a work in progress; I have been there just a week. A lot has happened and a lot is about to happen. When information becomes available, we will share that information with Tim and the Advisory Board.

In closing, I've had a tremendous time here at the Flood Control District; the staff has been the most professional group of people I have worked with in my 45-year career. I've had the opportunity to work with several of the leading, most professional consulting engineering firms in the nation. I can tell you that the technical skill and dedication of this organization equals or surpasses that. The District is a fine organization. When I came here, I found a fine organization and I think I have left it in better shape. I appreciate the tremendous support I have received from the Board. Each time I have called any one of you, you have been there for me. We have been able to sit down, sometimes over meals, and I've gotten the wisdom of your counsel. I have appreciated that and I am sure Tim will also. I have named Tim Phillips as the Acting Chief Engineer and General Manager. Presumably within a few months, he will be named the Chief Engineer and General Manager. It will be a decision based partly on your remarks and analysis, mine, the Board of Supervisors, and of course, David Smith's.

Thank you very much for a great seven years and I look forward to working with all of you in my future role as Director of Public Works.

Ward: I have a couple of comments. I have had the chance to work with Mike for 2 ½ years. This is really a shock to me. I have considered Mike a real professional; just a pleasure to work with and his industrial knowledge of the county and the workings of this department will be truly missed. For myself, personally, I am really sad. The best to MCDOT, but we are going to miss you.

I'll digress a little bit, I had breakfast with Fulton Brock about 3 months ago and he told me you were talking about Joy Rich overseeing this department and what is going to happen. Fulton said that it really revolves around budgets. So I applaud you Mike for really jumping in there, you have been that type of guy, helping to save money when we can. It's your nature to be as efficient and cost effective as you can. I've applauded you many times on projects, you have brought them in on time; huge projects that are brought in either at or under budget. The guys here at the District do a tremendous job. I am a great believer that the captain of the ship has a lot to do with how it sails.

I am kind of caught off guard, so what I'd like to do is, at some time get you, the Transportation Advisory Board, Tim and our board together to find out what's really going on. I think for the public's perception and because I've been asked for comments a lot of times, it would help me to understand more of what is going on with the inner workings of the county. How do you feel about that?

Ellegood: Mr. Vice Chairman, I think that's an excellent idea. What I think I hear you saying is a joint Transportation Advisory Board, Flood Control Advisory Board meeting. I've not yet been able to contact any of the Transportation Advisory Board members, although I understand that my secretary has set up a breakfast meeting with Joe LeRue, the TAB chairman. I am going to run that by him, I think it is wise to do that. Certainly, if I were a board member and they were talking about consolidation I would want to take part and be briefed jointly on that issue. That's a good suggestion; Mr. Vice Chairman and I will see if I can make that happen, probably in the May timeframe.

Ward: I shared with Joy and Fulton Brock, that I am glad to see you go there because a lot of what MCDOT does needs flood control as a base to a lot of the right-of-way design. I think if we could have a round table with planning, flood control and your new group, bring Tom Buick in and even bring Mr. Smith in, and let him observe. I'm all for saving money. We've talked a lot about mapping the whole county; let's go out get two-foot contours on all of Maricopa County and the surrounding watershed. I think if we look at those long-term visions, how quickly the valley is growing, we can combine that with MCDOT and other transportation needs for public safety. Mike, you are the guy that can do that and save money.

Ellegood: Thank you Mr. Vice Chairman. I'll do my best to meet that challenge. I am pleased, actually to hear you talk about mapping. I have this little idea of a county topographer group that pulls together the county maps, exactly as you're saying.

Mr. Vice Chairman, you have a full agenda today. I'd like to visit more with you

but I think you probably need to go on to the matters at hand. I'm only going across the street, so I am not leaving. Thank you very much.

2) APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 28, 2004.

ACTION: It was moved by Mr. Justice and seconded by Mr. Mushtaq to approve the minutes as submitted. The motion carried unanimously.

3) WHITE TANKS FRS#3 DAM REHABILITATION PROJECT – RESOLUTION FCD2004R004

Tom Renckly, P.E., Structures Management Branch Manager presented the proposed modifications to the White Tanks FRS#3. This resolution also authorizes a variance to the District's "Policy for Aesthetic Treatment and Landscaping of Flood Control Projects" for the White Tanks FRS #3 project.

Patel: Are we approving both the variance and the project, or will the variance be approved later?

Renckly: Mr. Vice Chairman, Mr. Patel, the resolution includes both the authorization to include the previous resolution authorizations as well as the landscape aesthetic policy variance. Again, the specific details of the project will be brought forward when we present the IGA to you in a few months.

Patel: Is the \$3.3 million for aesthetics included in the \$21 million?

Renckly: That is correct.

Ward: Just a suggestion, gentlemen, I went out and took a look at this area, when you bring this to us again, it would really help if you could map the total watershed area. You can see where these two dams are and if you go out there and really look at the topography of the area, you can see the size of the mountains and how the watershed would affect the area, down towards the prison and all the way to I-10. Just a thought, if you were presenting this to the Board of Supervisors, I would really enjoy seeing both of these dams and the watershed. I would like to see a map of property ownership near the project. Perhaps you could go back to the aerial shot and tell me who owns the property. That would help me a lot. Is it state land, municipal ownership? Is Buckeye in there?

Renckly: Mr. Vice Chairman, the District's property is a bit difficult to see, but is bounded by this orange line. This is our current fee property. We are also looking at acquiring in this fiscal year, an additional 42 acres located downstream of the emergency spillway. There is Maricopa Water District located to the east and there is state land to the west and south.

Ward: Just a comment, I really support the aesthetics variance. When you go out there, this is beautiful high desert, which we really don't have a whole lot of. If you were looking at it, I would anticipate the question "when were these dams built?"

Renckly: White Tanks FRS#3 was completed in 1954; McMicken was completed in 1955 or 1956.

Ward: It's incredible how dams of a certain age resemble the institutional building that took place during that time period. I think that if we look back at the Eisenhower administration that came out of the war, he was a military guy and everything looks as if it were military in nature, very cut and dry. So I applaud because this is really a nice area. I think DMB has done a nice job in this area preserving open space and the character of the terrain as well as the vegetation. My main thought was that I am glad to see we are doing this. I spoke to Mr. Ellegood about it. I would go more in depth and talk about the aquifer in this area, but I think you are on the right track. I'd like to see the new dam facility dressed up and landscaped so that it doesn't look like a stark dam. This 20-square mile watershed affects a lot of people and there is a lot of growth out in that area.

Renckly: Thank you for those comments, Mr. Vice Chairman.

Justice: Once the project is completed, are we then responsible for the maintenance and upkeep?

Renckly: Mr. Vice Chairman, Mr. Justice, that is correct. Flood Control District is currently responsible for the operation and maintenance of this structure. That would continue.

Justice: How is that related to the Department of Water Resources?

Renckly: The Arizona Department of Water Resources is the jurisdictional agency, so they regulate all of our flood control dams.

Justice: So once we have landscaped this, it is our responsibility to maintain it?

Renckly: Yes, we would continue to operate and maintain this structure. It's interesting that there was a very significant flood before this dam was built. Since the dam was built we have received at most 300 acre-feet in the reservoir, so it's just a matter of probability when you get these floods.

Ward: This has been a very good presentation. Any comments?

ACTION: It was moved by Mr. Patel and seconded by Mr. Justice to approve the resolution as submitted. The motion carried unanimously.

NOTE: Tom Callow arrived at 2:45pm and replaced Mr. Mushtaq.

4) **TRILBY WASH (MCMICKEN DAM) FEASIBILITY STUDY – RESOLUTION FCD2004R003**

Tom Renckly, Structures Management Branch Manager presented Resolution FCD2004R003. This resolution authorizes the Chief Engineer and General Manager to negotiate intergovernmental agreements for the "Trilby Wash Feasibility Study". It also authorizes the District to conduct environmental and regulatory permitting activities, public involvement activities and to obtain necessary rights-of-way, and to include funding in the District's future budgets to fund the District's share of the study and related activities.

Discussion:

Callow: What is the estimated cost?

Renckly: Mr. Vice Chairman, Mr. Callow, the Corps of Engineers' preliminary estimate is \$2.7 million for the Feasibility Study. We bring a lot of information to the table and I am not sure that all of that has been calculated into that amount. The way they look at information or data that the local sponsor provides is if it is provided before the agreement, then the cost of the study can be reduced by the fact that you have that information. If that information is provided after the agreement it can be an in-kind type of service. So we would negotiate to try to get that number lower with respect to the information that we are providing.

Callow: So, do you mean the total cost is \$2.7 million or just our share?

Renckly: The total cost of the feasibility study, the first cut is \$2.7 million. The District's share would be half of that amount.

Justice: While us kids enjoyed swimming in the floodwaters in 1951, my father found it to be not so enjoyable. So we really appreciated the structure when it was complete. However in 1977, when the Corps breached that structure and the floods came in 1978, I was old enough to where it hit my pocketbook. It wasn't so much fun to be flooded then. If we are going to authorize work on this issue again with the increased amount of development that is taking place out there, I think we need to be very careful that we don't breach that dam again and let it sit there for a year or two. . The amount of damage it did to those lands out there, the fairgrounds and the Maricopa Water District was significant. Speaking from experience and on behalf of those who are out there, if we are going to breach something, let's make sure we can get it repaired right away. My question is that you indicated that others would be involved. Do we have any indication who those others are or is that something yet to be developed?

Renckly: No, we do not have anyone stepping up at this point. I think as we go through with the feasibility study and look at all the stakeholders in the area, we will be asking for participation from anyone who would see this as mutually beneficial. That would be for the future construction of the project. As we see it now, the IGA would be between the District and the Corps of Engineers. Of course, if someone else steps up we can include them also.

Justice: If we do a 50/50 participation with the Corps of Engineers and the District, if local interests step up with additional funding, does their contribution come off the top and remaining balance is a 50/50 split? Or would it be applied to our side of the ledger?

Renckly: It would be applied to our side of the ledger. The Corps' amount would stay the same and the District's amount would be reduced. At this point, I would caution that for the feasibility study itself, we do not have anyone else. However, there is that potential for the construction project.

If I may, Mr. Vice Chairman, a couple of comments on the breach mentioned by Mr. Justice. In 1977, the Corps of Engineers made the decision to breach that

structure because it was determined to be unsafe, due to transverse cracking. It wasn't repaired until 1985, so yes there were breach locations. I think the decision they had to make was "Do you allow an unsafe dam to remain that could be breached due to a catastrophic failure or do you purposely breach the dam and lose the flood protection that you have associated with it until it can be repaired?" The decision was made to breach the structure. As we look at our dam safety program, the District has significantly improved its dam safety program over the last 4-5 years. And we look at these very issues. Breach of a dam is essentially the last line of defense that we would look at for any type of dam safety issues. We have dam safety deficiencies that we know have to be repaired. An example would be White Tanks FRS#3; we actually went in, saw dam safety deficiencies on the outlets and repaired that. You have to evaluate the severity of the fix and the potential solutions. The solutions could be anything from, you need to fix it immediately or need to breach it, you do an interim dam safety repair, or you wait for the long-term solution. In that particular case, I think the decision by the Corps was that it was an immediate issue, it's a high priority and has to be done. Just a little bit of background on that.

Justice: I understand that, I disagree with the method.

Renckly: I appreciate that comment. Whenever we construct dams there are periods of time when you might have to accept a little higher level of risk, if you will, to reduce flood protection. The McMicken Fissure Risk Zone Remediation project will be tying in the project. We will have flood protection but it may not be the full 100 years. We try to minimize the time that the risk occurs and maximize the flood protection that we can provide.

Justice: I understand that and I appreciate that. I just hope that we'll be able to plan to have funding this time. That was way too long to have this area exposed. It's literally water under the bridge and over the dam now. Having seen the damage done, I don't want to see it again. If that same scenario happened today, and your 2003 map is way behind as far as the construction that has happened out there in the last year, the amount of damage to the residents would be catastrophic.

Renckly: I understand. I appreciate those types of comments because those issues are very high on our priority.

Ward: I want to add to Mr. Justice's thoughts. In looking at the watershed area, what do you think the population is in that area today?

Renckly: I don't have that information at hand. However, with the growth in the area, the benefits can improve daily.

ACTION: It was moved by Mr. Justice and seconded by Mr. Patel to approve the item as submitted. The motion carried unanimously.

5) 24th AVENUE AND CAMELBACK ROAD DETENTION BASIN AND STORM DRAIN PROJECT – IGA FCD2003A018.

Emili Kolevski, Project Manager, presented this IGA that defines the responsibilities of the District and the City of Phoenix for the 24th Avenue and Camelback Road Detention Basin and Storm Drain Project.

Justice: I am not as familiar with this area of the city as I am with some of the other areas, just for my personal education, how much acreage are we talking about for these basins?

Kolevski: The total storage will be 83 acre-feet and the basin area is about 9.6 acres.

Justice: Is that all of the project or just Phase I?

Kolevski: That is just Phase 1.

Patel: What is in that area? Are we displacing homes?

Kolevski: Mr. Patel, Mr. Vice Chairman, that is predominantly a residential area. There are some vacant parcels in that area.

Ward: Tim, isn't this a project that we looked at about a year ago? You came forward and said that you were going to try to locate the basins more on Camelback Road. We said we would revisit it and look more into residential areas?

Phillips: Mr. Vice Chairman, Chairman Martin had a question about going to the car dealership on the south side of Camelback. We looked at that and determined that there was a lot of problems, from a technical stand point, in getting water to where the basins need would be on the south side. So we did take a look at that, and determined that the basins should be on the north side of Camelback Road. I think that is what the question was, if I recall correctly.

Callow: Mr. Vice Chairman, I don't recall the discussion. I know that the city has actively participated with the dealer to make sure that they do stay there. That is a good sales tax generator for the city, in addition to the homes, that is one of the things we're trying to protect in that area. They are very valuable assets.

Ward: How does the City of Phoenix feel about this project?

Callow: We're fine with it, we support this project.

Patel: Will this be a multiuse facility?

Ward: I don't think the first one is big enough, do you recall?

Mushtaq: Yes, it is.

Ward: Is it going to be amenitized?

Mushtaq: Mr. Vice Chairman, members of the Board, we don't have that detail yet. But we will work with our Parks Department to come up with concepts so that it will be amenitized so that people will use it.

Ward: What are the conditions of the homes in the neighborhood?

Callow: I would say that it is a late 1950's design. They are older homes; the style is slab on grade. The finished floors are at grade, so it floods when it rains. They all have little dams built at their doors to keep the water out.

Mushtaq: That is correct.

Callow: I've driven through this area when it rains and it was in the state these pictures show. The waves from the cars went into the doors, that's how bad it was.

ACTION: It was moved by Mr. Patel and seconded by Mr. Callow to approve the item as submitted. The motion carried unanimously.

6) WHITE TANKS FRS#3 NORTH INLET CHANNEL, IGA FCD2003A009

This presentation outlined the specifics of IGA FCD2003A009, for the cost sharing, design, rights-of-way acquisition and utility relocation for the White Tanks FRS#3 North Inlet Channel Project. The presentation was made by Valerie Swick, E.I.T., P.H., C.F.M., Planning Project Manager.

Discussion:

Ward: I just have one question. The homes that you are going to purchase, what municipality are they in?

Swick: We are not purchasing any homes. Everything is, right now, undeveloped; the channel itself is in undeveloped area. By building the channel, we are just reducing the floodplain, controlling the breakouts in those areas and protect the existing homes that are down south. Everything that is going to be done is going to be in areas that are currently undeveloped.

Callow: Is that area unincorporated, where those homes are located?

Swick: Yes.

ACTION: It was moved by Mr. Justice and seconded by Mr. Callow to approve the item as submitted. The motion carried unanimously.

7) RIO SALADO OESTE PROJECT, IGA FCD2004A001

This item, presented by Valerie Swick, E.I.T., P.H., C.F.M., Planning Project Manager, is for approval of IGA FCD2004A001 with the City of Phoenix for the cost sharing of the feasibility study of the Rio Salado Oeste Project.

Discussion:

Ward: Ma'am (Karen Williams, City of Phoenix) would you like to make a presentation? You did a pretty nice job the last time you were here.

Williams: Mr. Vice Chairman, members of the Board, thank you very much. We actually have had great success in our Rio Salado project. My name is Karen Williams; I am the Rio Salado project coordinator working out of our City Manager's office. The upstream portion of the project in the Salt River from 19th Ave. to 28th St is well under way with construction and we are really looking forward to opening the trail system and having the majority of the habitat developed by Spring of 2005. I really want to thank the Flood Control Advisory Board again because it wouldn't be possible without the participation of the Flood Control District. In fact, having constructed the two phases of the water low flow channel at the center of that river, which is functioning wonderfully. We have been pleasantly surprised at the habitat value in that, and with the recent rains, it is doing what it needs to do. So we are very happy about that. We are very excited about working with the Flood Control District on the Rio Salado Oeste Project and continuing the flood control element along the river corridor to about 83rd Avenue, an 8 miles stretch. Again, we appreciate the participation and will have great success in the entire river corridor. Let me just add to that, we are also looking at the upstream portion, although it won't include the Corps of Engineers, to connect from Scottsdale Indian Bend Wash to Tempe Town Lake. But looking at it, these are trail systems that we could map. The reason the Corps will not participate is because there is not a federal interest in the habitat values because of Sky Harbor International Airport. Of course, we don't want to create any type of bird hazard to the airport. However, at the same time we are very interested in folks being able to go from Scottsdale or the East Valley, eventually all the way to the West corridor. We are looking forward to opening that first 5 miles in Spring of 2005 and then working on the feasibility study. We appreciate your participation. I would be happy to answer any questions. I would also like to thank Valerie Swick and members of the Flood Control District that we work with for supporting us in this effort. We feel that it will be a wonderful amenity for our community.

Ward: I just want to make a personal comment. It's an area that I don't get to very often but I drove through there and I just cannot believe the change over the last 4 or 5 years. When you look at that area, not only what you've done with the river, but also it seems that the whole area is taking on a new life and appearance. I wish Mr. Martin was here, because it's an area of Phoenix that has experienced tremendous growth as you continue to go West

It's just amazing. You folks have done a real nice job.

Williams: I am pleased with those comments. Let me also share that Mr. Martin was with me on Sunday morning and we toured the riverbed. I'd like to extend that invitation to all of the members of the Board. If you have an opportunity on a weekend or weekday, it will only take about 40 minutes at the most. You can meet me at the river and I'll show you the improvements that we've made. It's quite different from going over the bridge and looking at the river.

ACTION: It was moved by Mr. Callow and seconded by Mr. Patel to approve the item as submitted. The motion carried unanimously.

8) COMMENTS FROM THE CHIEF ENGINEER AND GENERAL MANAGER

Phillips: Mr. Vice Chairman, I guess the next item are comments I have as Acting Chief Engineer and General Manager. Suffice it to say that when I started at the District 6 years ago, I never figured I would be sitting here. So it is truly an honor and a privilege to take on this role and to carry on what Mike Ellegood has already started to keep the District a viable entity within the water industry and providing flood mitigation/risk mitigation/hazard mitigation to the public. It is truly exciting.

Patel: Congratulations and welcome.

Phillips: Thank you. The other comment I have is that you should have all gotten an invitation to the Doubletree Ranch Road dedication, which is March 6 at 11:30am. I was involved in that project early on. It has been a long time coming and it hasn't been an easy road, a lot of issues, a lot of controversy but we are there. We're done. Now if a storm comes down from the mountains, it has a place to go instead of houses, roads and schools. With that I will go to the next item, which is in the back of your packet, Recent Board Actions.

Ward: Just a couple of thoughts. What is going to happen to the Advisory Board? Is it still under the leadership of Joy Rich? Is it autonomous? How does it work?

Phillips: I would answer that by saying that I don't see any changes in the Advisory Board. I think the state statute defines the role that you have to the District. Whatever relationship we have, formal or informal, with the County should not change that. It is by statute that this is the responsibility and authorization that you have. So I don't see any changes in the Advisory Board or it's role.

Ward: Good.
Any other comments?

The meeting was adjourned at 3:30pm